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The nested games of the UK's EU referendum: ruptures, reconfigurations and lessons for Europe

Agnès Alexandre-Collier^a, Pauline Schnapper^b and Simon Usherwood^c

^aCentre Interlangues, Texte, Image, Langage (EA 4182), Université de Bourgogne Franche-Comté, Dijon, France;

^bCentre for Research on the English-speaking World, Université Sorbonne Nouvelle, Paris, France; ^cDepartment of Politics and International Studies, Open University, Milton Keynes, UK

ABSTRACT

The 2016 decision by the United Kingdom to withdraw from the European Union was a seminal one for both parties. In this special issue, we consider the extent to which the inter-penetration of the national and the European arenas produced significant opportunities for recasting political action. The nesting of these two levels matters firstly in allowing for the politicisation and mobilisation of domestic actors around European issues and secondly in explaining why seemingly sub-optimal or counter-productive actions are taken. The tensions this generated reached a critical juncture with the referendum, a rupture that highlights the extent to which a nominally second-order vote can have fundamental impacts on the first order's structure and preferences. Bringing together scholars from a wide range of approaches and covering various aspects of the Brexit process, this special issue offers a significant contribution to improving our understanding of an event that will shape British and European politics for a generation.

KEYWORDS

Brexit; membership referendum 2016; nested games; critical juncture

Introduction

On 23 June 2016, for the first time in its history, a member-state of the European Union chose by referendum to leave the organisation, making use of Article 50 of the Lisbon Treaty, adopted in 2007. While turnout was relatively high – reflecting the intensity of public engagement and political activity in the run up to the vote – the result saw the UK split almost equally between Leave and Remain options, with the 52:48% split raising as many questions as it answered and sending shockwaves across the continent.

The June 2016 referendum on the UK's membership of the European Union (EU) was a landmark political event, far beyond its nominal decision to reverse the pattern of post-WWII British engagement in international organisations. It was a turning-point in the history of the EU, which had until then seemed to be on a never-ending process of enlargement to new countries, not the other way round. As is becoming increasingly evident since the vote, the referendum was also the occasion for many other ruptures to emerge in the polity and politics of the country whilst in turn raising longer-term questions about a possible 'spill-back' and disintegration of the EU itself (Vollaard 2014; Rosamond 2016). In Britain, the vote has led, among other things, to unprecedented (at least since 1945) strains within the two main political parties, tensions in the union between the different nations of the UK, the apparent emergence of new cleavages among voters which mainstream parties struggle to represent and more generally a feeling that the political system can no longer be

defined as the stable and predictable so-called Westminster model (Evans and Menon 2017; Baldini, Bressanelli, and Massetti 2018; Curtice 2020; Mattinson 2020; Sobolewska and Ford 2020).

Crucially, these changes and ruptures are interlinked, both overtly and implicitly. The ongoing endeavour of researchers to make sense of the fundamental change in British European policy cannot do so without recognizing that all of the other tensions listed above are not simply consequences of the referendum but also explanatory factors. At the core of the analysis offered in this special issue is a shared (if variously constructed) view that political actors sit within a set of nested games (Putnam 1988; Tsebelis 1990 and more recently; Schelkle 2019), where actions in any one arena are conditioned and rationalised by incentives and objectives in another. The 2016 referendum is as much – if not indeed more – a site for advancing agendas and preferences that have little or nothing to do with European policy as it is a moment of focused political and public debate on the question of ‘Europe’. But this traffic is not just one way: the scale of the rupture caused by the referendum decision has also rippled back into those other games and arenas, resulting in a wider recasting of political action and objectives in the UK and beyond.

It is with this in mind that in this special issue, we consider the long-term effects of the politicisation of European issues in the UK, which started in the early 1990s with the Maastricht Treaty and climaxed with the 2016 referendum. We also stress the importance of identity/nationalist politics and cleavages in contemporary European debates, which have been a major factor in the referendum vote. We look at the nature of the dislocation and reconfiguration of the British political order which have been both a cause and consequence of the referendum. We draw together theoretical, comparative and applied examples to consider what has changed, but also why this has happened and what it means for the future path not only of the UK but also of the European integration project as a whole.

Theoretical approaches

Although we aim to contribute to the theoretical discussion around the Brexit referendum, we have chosen not to limit our framework to a specific approach. Our goal is also to widen the scope of the British approach and provide, when the occasion arises, a more international or comparative perspective. Indeed, our contributors have adopted several, sometimes overlapping frames. At the shared core of our analysis is the notion that the referendum and its aftermath represented the creation of a substantial and consequential new arena for political contestation in the UK which illustrated the new cleavages which have emerged around European integration and globalisation (Evans 1999; Hooghe and Marks 2018). As Reif and Schmitt (1980) remarked, European affairs used to be typically second-order, with political actors involved therein making decisions on the basis of satisfying national political priorities first and foremost. This in turn leads to behaviour in the European arena that might appear sub-optimal or counter-productive. With the multiplication of levels (subnational/national/EU/global) that potential for sub-optimal action increases, along with the likelihood of perverse outcomes.

The multiplication of arenas has already been addressed by scholars to analyse political actors’ decisions in the light of the rational choice theory. More precisely, Putnam’s classical two-level game, and especially Tsebelis’ variation of it with the idea of ‘nested games’, provide us with a general framework to understand the various actors’ strategies. This framework can help better understand how and why actors are sometimes viewed as acting rationally in one arena and irrationally in another. Tsebelis identified cases where an actor ‘confronted with a series of choices does not pick the alternative that appears to be the best’ (1990, 1) and therefore appears as non-rational – such as Theresa May’s attitude in the Brexit negotiations in Brussels or Jeremy Corbyn’s refusal to take a clear stance on Brexit for two years. However, in his view, optimal choices can only be assessed by the observer if s/he takes into account the different levels, or games, in which the actor is simultaneously involved: ‘What appears suboptimal from the perspective of only one game is in fact optimal when the whole network of games is considered’ (7). The EU referendum created

a new game which is to be added up to all the other arenas in which actors usually operate. It is therefore necessary to adopt a more holistic approach, which does not ignore the wider context in which actors operate in order to be able to understand their strategies. This requires the observer to go beyond the immediate political environment – such as party politics and the territorial dimension in the UK – to possibly include more structural features such as the rise of nationalism and populism in the UK and in Europe (as well as the US), the role of the media in shaping a specifically anti-European political culture, etc.

The additional explanatory value of such an approach lies in its capacity to bring together a very disparate number of elements into a more structured and integrated whole. A weakness of other models has been to look for mono-causal explanations for attitudes, intentions and actions – utilitarian self-interest, ideology or party-political advantage being just three of the more common options – whereas a nested games approach allows for the incorporation of differentiated understandings and motivations among a connected set of actors. This is not to suggest that those mono-causal models have no value, but rather that while they might work well for some participants in a wide-ranging political event, they do not work uniformly well. Seen in this light, nested games permit individual actors to follow individual logics, without having to assume that all such logics are universally held, and in so doing they cast light on why particular approaches dominate for specific actors: Brexit becomes both an amplifier of predispositions and a source of change.

If such nested games provide a shared tool in our analyses for explaining the apparently paradoxical behaviour of many political actors, then it is also important to underline that there are limits even to this rationalisation. As much as we can draw attention to the presence of nested games in operation here, we cannot – and do not – advance an overall model of what those games might be or how they are nested within each other. A recurring theme of our contributors is the subjective construction of games and relationships between them by individuals and organisations. The constructed world of someone considering the notion of an Anglosphere is not the same as that of someone working on matters of devolution, and neither might be close to the incentives felt by a party-political leader in Westminster. The consequence is that political actors are not merely playing multiple games simultaneously, but are all playing different games, with limited overlap, centred on the referendum itself. This brings us back to the notion of Reif and Schmitt (1980) that ‘European’ events are more means than they are ends, but builds on it with the argument that those means can also reshape those ends.

Underlying this approach to agency are the central environmental and structural factors which shape the political actors’ decisions. In the Brexit context, the key concepts of integration and disintegration, whether that of Britain or of the EU, are at the heart of this environment. On the latter, there is now a burgeoning literature. Douglas Webber (2014) and Hans Vollaard (2014) underlined before the UK referendum the multi-causal nature of possible disintegration, with domestic politics one important factor. Using Stefano Bartolini’s model of polity formation, Vollaard argued that ‘the external consolidation of the EU has remained rather weak, first of all in terms of the permeability of its boundaries. Entry of new Member States has been a common feature in the EU’s history, while the Lisbon treaty even includes an exit clause’ (9). He added that populations dissatisfied with the allocation of resources and welfare ‘resist European integration and urge the closure of national borders to restore the congruence of participation, social sharing and cultural homogeneity within national states’ (10). This relates to the post-functionalist approach which defines the conditions under which European issues become politicised and escape the control of mainstream parties (Hooghe and Marks 2009; Schimmelfennig 2014, 2018) and can provide explanations for the conditions under which disintegration might happen. Ben Rosamond (2016) identified shortly after the referendum the risk of the EU incrementally disintegrating as a possible effect of Brexit. In his perspective, disintegration would be a process leading to an unspecified outcome rather than an immediate outcome. Yet since the referendum the EU has proved more resilient than anticipated, with public opinion becoming more, not less, positive about the EU and governments maintaining a united front in the negotiation with the UK government. However, Leruth, Gänzle, and

Trondal (2019) argue that the dynamics of disintegration are more deeply seated than might be apparent from this seeming recovery, not least because Brexit is only one of the number of deep challenges faced by the EU at present, each going to the core of its efforts to provide effective outputs and affective belonging.

Similarly, in the UK there have also been a number of authors in the last few decades drawing attention to the fragile state of the union between the different constituting nations, which the differentiated results in the different parts of the United Kingdom have exacerbated. Tom Nairn's *The Break-Up of Britain* (1977) and *After Britain* as well as Linda Colley's *Britons: Forging the Nation* (1994), for instance, stressed the relative contingency of the union and the risk of its dislocation. The rise of Scottish (and to a lesser extent Welsh) nationalism was at first the main reason for it, but with the EU referendum the question of Ireland and its possible reunification has resurfaced as well (Greer 2018). The relative contingency of the union and the re-emergence of the English question are some of the most fascinating issues raised by the outcome of the referendum, not least because of the centrality of Englishness in the narrative of the Leave campaign (Henderson et al. 2017). In part, this comes back to the logic of the referendum itself, where a simple, UK-wide majority was the sole condition for success (in voting terms) and the relative size of England within the Union made it a much more consequential focus than had been the case in the logic of the devolution debate where the rights of the smaller nations had been paramount.

A critical juncture

The various works included here therefore raise the idea that rather than simply being a second-order game, the referendum was sufficiently important to create marked effects on the first-order game of national politics in the UK, not only in terms of political strategies and mobilisation but also through frames and narratives. It might well be that the referendum acted as a critical juncture, opening up new opportunities and incentives (Capoccia and Kelemen 2007; Soifer 2012; Meyer and Minkoff 2004). Thus, while British politicians (especially then Prime Minister David Cameron) and activists might have initially approached the referendum as a means to secure their previous objectives, the scale and scope of the decision has instead provided a point of rupture that changes what those objectives might be and how they might be achieved, as well as modifying the shape of domestic arenas and incentives in other EU member states. The referendum in effect reconfigures the national game that created it, as well as the European game in which it is embedded, even if the Brexit referendum has not led to an immediate unravelling of the EU.

At one level, this should not be a contentious idea: implicit in the notion of nested games is that there are iterated sequences of decisions in one or another arena that necessarily shape action and preferences in another. In its most Machiavellian conceptualisation, political actors use precisely such dynamics to force opponents into otherwise unwanted action by changing situations and facts on the ground: the Suez crisis of 1956 might serve as an example of how problematic this can be, from a nested perspective (cf. Richardson 1992). Such moves find their echoes in the accusations thrown about that several of the leading campaigners for Leave were motivated not by any ideological incentive, but rather by the sensing of an opportunity to advance themselves politically (see Shipman 2016, 2017 for the most insightful take on this). While Boris Johnson might have profited from that calculation, ultimately rising to become Prime Minister in 2019 and installing many of his erstwhile colleagues from Vote Leave around the Cabinet table, it is also clear that his time in office will be profoundly and unavoidably conditioned by the withdrawal process. That this can be written even as the UK, along with the rest of world, is working through the consequences of the COVID-19 pandemic and its enormous social, economic and political effects, sure merely underlines the case being made here: the knock-on effects of the referendum decision have now been compounded by the political choices that Johnson has made about the shape of the future UK–EU relationship.

And such effects are not limited to the UK. As much as the EU's attentions in the period since the referendum have been focused elsewhere – the migration crisis, the persistent weakness of the

eurozone architecture and, more recently, coronavirus – the creation of a new pathway of action in withdrawal has evidently reshaped debate, not least with regard to populist parties and forces across the continent. Brexit may well be a cautionary tale, but ultimately, it speaks both to the compromises of membership and to the option to exit. Indeed, precisely because Brexit has been so difficult for British politicians to operationalise, space is left to eurosceptics elsewhere to argue that they would be able to avoid all the bear traps that the UK has fallen into, resulting in an exit with all the gains and none of the costs. That such a narrative has not yet emerged in other member states says more about the extent of British delay than it does about any effort by the EU to resolve the underlining conditions that facilitated the UK's decision in the first place.

One of the issues raised is whether these effects were already there and merely exposed by the referendum or whether the latter created them. In David Cameron's words (Oliver 2016), did the referendum mean 'unleashing demons', whose number and impact are only progressively becoming clear and therefore opened a new cycle in both European and British politics? Or did it reveal underlying trends which had been masked or neglected previously? What was structural and what was contingent in the process? As mentioned earlier, all of this also raises a question of agency: who shapes events and who is carried along by more powerful forces? To answer these questions, this special issue will try and disaggregate 'Brexit' – again thinking about the relation of structural and contingent factors – and recognise how its various elements operate within a series of interconnected and nested games.

Articles in the special issue

We bring together articles which look at the ruptures and reconfigurations triggered or revealed by the referendum from three main angles. The first four articles examine the political mobilisation and party dynamics that the referendum created in Britain.

Emmanuelle Avril looks at the case of the Labour Party post-2016 and shows how electoral politics found itself nested in the Brexit game, with Jeremy Corbyn trying not entirely unsuccessfully to straddle the two horses of accepting the referendum result and opposing the deal achieved by the May government. This enabled him to please – to a certain extent – his two constituencies of remainder MPs and leave voters, especially in the north of England.

In her article on the fate of UKIP, Karine Tournier-Sol starts from a post-functionalist perspective to identify the specific role played by the party as agent and producer of the politicisation of European issues in Britain. UKIP embodies the interaction between the national and European arenas, between first and second-order games. She then in turn shows how the Brexit vote impacted the party, which turned out to be a victim of the ruptures it had triggered, with a drop in its membership and standing in the polls and Nigel Farage's creation of a new Brexit Party, which again had a disruptive impact on the 2019 European and on the radicalization of the Conservative Party's stance on Brexit.

Agnès Alexandre-Collier's case study of the Conservative Party uses the lens of the ethnic minority MPs. This article thus takes a specific interest in Conservative Black and Asian Minority Ethnic (BAME) MPs who turned out to be more active on the 'leave' side of the referendum campaign. While it may have seemed illogical that so many Conservative BAME MPs made the suboptimal decision to support the 'leave' campaign and run the risk of losing supporters within their immigrant community, this decision actually makes sense, following Tsebelis' theory (1990) when one understands that BAME Conservative MPs, who are involved in 'nested games', have actually favoured other arenas (their party, their constituency), which, they believed, would deliver higher electoral payoffs.

Pauline Schnapper starts from the two-level game model developed by Putnam to understand Theresa May's apparently irrational 'red lines' in her negotiation with the EU between 2017 and 2019, to which she adds a discursive institutionalist approach. She stresses the constraints of domestic politics and the difficulty that she met when she attempted to follow two lines of negotiation in Brussels and London in parallel with a 'communicative' and a 'coordinative' discourse, to use Vivien Schmidt's typology. This could not, she argues, converge into a single successful outcome.

The second set of articles broadens the ‘games’ to include analyses of the external context in which British actors navigate. Chris Gifford compares the Brexit voters in the UK and Trump voters in the US. He qualifies the widespread but simplistic idea that a new social and political cleavage has appeared between nationalists/populists and cosmopolitans/liberals, also framed as losers and winners of globalisation in these two electorates. He shows that in political cultures that have been fragmented by globalisation, political identities are more fluid than what cleavage theory would suggest and that populists *create* more than they *reflect* these social/cultural differences, in particular the narrative of white working-class disadvantage.

Emma Bell compares the types of nationalism that have emerged during and since the referendum campaign among the Conservative and Labour parties. She contrasts the neo-liberal centralist British brand of nationalism now dominant among the Conservatives, heir to an older imperial one, to the economic community-based form of nationalism promoted under Jeremy Corbyn’s leadership of the Labour Party. Yet the landslide victory of Boris Johnson’s Conservative Party on 12 December 2019 followed by the election of Keir Starmer as the new leader of the Labour Party on 4 April 2020 have signalled ideological shifts which the COVID-19 pandemic crisis seems to have radicalised. The impact of external factors is therefore likely to be even stronger than expected.

The final group of articles further explores this structural dimension through the lens of contingency by covering the debate about integration and disintegration, both at the UK and EU levels. Mary Murphy, looking at the debate about Europe in Northern Ireland and the role played by the Irish border question in the negotiation with the EU, shows how the EU has become politicised in Northern Ireland, to an extent which was unimaginable before 2016. She underlines the frailty of the peace process and the dangers to peace posed by the referendum outcome and the challenge it represents to the place of Northern Ireland in the UK.

Ben Wellings argues that Brexit calls us to account for nationalist politics as an independent variable in the historic construction and deconstruction of the European Union. Nationalism, which European integration was meant to limit or even suppress, has grown and forces us to rethink the processes of EU dis/integration. This reconsideration is not without its problems, though, as the tropes of nationalism and of mythic communities across borders are forced to confront the harsh realities of global interconnection and interdependence. Ideas such as the Anglosphere might have been successful in mobilising Leave voters at the time of the referendum, but their ability to provide a course of political action that is either viable or even desired by all involved will become ever more critical in the coming years of the evolution of British foreign policy.

Finally, in their analysis of the post-2016 EU, Thierry Chopin and Christian Lequesne question the EU disintegration theory. Using the concept of cohesiveness, they stress the paradoxical cohesive effect of Brexit on the EU-27, including those whose preferences had aligned closely with those of Britain until then. This has led to less, not more, euroscepticism across the EU, as documented by opinion polls, and a united EU-27 front in the negotiations with the UK.

Taken together, the articles set out a vista across the multiple spaces and games that have characterised the Brexit process in its critical phase, and suggests a number of paths to be explored as it moves into the next stage of building a new EU–UK relationship. First and foremost, there is the question of the tension between choices made in favour of some option and those made in opposition. Much of the referendum campaign was informed by generic feelings of disempowerment (‘taking back control’) and disillusionment with how politics had become (especially from the ‘left behinds’ identified by Ford and Goodwin 2014). But rejection of the status quo is a far cry from an acceptance of any given alternative: the structural openness of the Leave proposition in the referendum, where campaigners would happily take any justification for voters to join them, has now had to move towards a crystallisation of a replacement policy. This special issue suggests that the viability of pre-existing narratives to succeed in such an environment is likely to be very variable and there consequently exists both a potential for new frames to arise and a possibility that none of them comes to provide adequate utility in addressing the public’s concerns.

In any outcome, the changing operation of party politics, the devolution settlement, economic organisation and the EU–UK relationship itself will all produce a new environment for political actors that may in turn generate further instability. The ripples that the referendum produced in the water have already started to return back to recast and reshape incentives and preferences for all involved. With a timescale of several years before anything approaching a stable EU–UK relationship can emerge, our collective analysis points to a need for a long-term evaluation of the impact of Brexit on the British state and society, not to mention the EU itself, taking into account the mutating positions and characteristics of all involved. What we can say at this moment in time is that the future remains open to various paths, and the importance of engagement with this, as researchers and as citizens, is as strong as it ever has been.

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